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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/715,109	11/20/2000	Toshio Sakurai	862.1731 D2	8881

5514 7590 03/24/2005

FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

NGUYEN, VAN H

ART UNIT	PAPER NUMBER
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2194

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/715,109

Applicant(s)

SAKURAI, TOSHIO

Examiner

VAN H NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 30-69 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 30-69 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/17/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This Office Action is in response to the request for continued examination filed December 21, 2004.
2. Claims 30-69 are currently presented in this application.

#### ***Continued Examination Under 37 CFR 1.114***

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 21, 2004 has been entered.

#### ***Information Disclosure Statement***

4. The Applicants' Information Disclosure Statement, filed September 17, 2004, has been received, entered into the record, and considered.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 30-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Sasaki** (U.S. 5,228,118) in view of **Lipe** (U.S. 5,548,759).

7. As to claim 65, Sasaki teaches the invention substantially as claimed including an information processing apparatus which is connectable to a device via a cable (col.5, lines 7-15 and fig. 3), comprising:

a detecting unit adapted to detect whether or not a communication medium is connected to the information processing apparatus (abstract; lines 6-9; col.8, lines 32-35; and fig.6) which is connectable to a device for receiving image data formed using a device driver via the communication medium and for processing the image data (col.8, lines 44-61);

an obtaining unit adapted to obtain a device ID which the device determines to transmit to the information processing apparatus (col.3, lines 34-41); and

a discriminating unit adapted to discriminate whether or not a device driver corresponding to the obtained device ID exists in the information apparatus (col.7, lines 9-49 and col.9, lines 50-65).

Sasaki does not specifically teach on the basis of a type of an optional unit which is attached to the device and in response to a detection, by said detecting unit, of the connected communication medium wherein the device driver for driving the device and the device ID are in a one-to-one association.

Lipe teaches the device determines to transmit to the information processing apparatus, on the basis of a type of an optional unit which is attached to the device and in response to a detection, by said detecting unit, of the connected communication medium (col.15, 5-28) wherein the device driver for driving the device and the device ID are in a one-to-one association (col.15, 37-44).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Lipe and Sasaki because Lipe's teaching would have provided the capability for reducing the number of files needed to install device driver files and/or library files for purposes such as to operate a hardware or software device, such as a peripheral device. By combining the files needed to operate a hardware or software device, the end user need access and load fewer files, thereby making installation of the peripheral device easier.

8. As to claim 66, Sasaki teaches a warning unit adapted to warn when said discriminating unit discriminates that the device driver corresponding to the device does not exist in the information processing apparatus (col.8, lines 11-43).

9. As to claim 67, Sasaki teaches a selecting unit adapted to select a device driver corresponding to the device obtained by the obtaining unit, to activate the device driver when the

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discriminating means discriminates that the device driver corresponding to the device exists in the information apparatus (col.7, lines 9-27).

10. As to claim 68, note the rejection of claim 65 above. Claim 68 is the same as claim 65, except claim 68 is a method claim and claim 65 is an apparatus claim.

11. As to claim 69, note the rejection of claim 65 above. Claim 69 is the same as claim 65, except claim 69 is a computer-readable storage medium claim and claim 65 is an apparatus claim.

12. As to claim 30, the rejection of claim 65 above is incorporated herein in full.

Additionally, Sasaki further teaches a warning unit adapted to warn when the discriminating unit discriminates that the device driver corresponding, to the obtained device ID is not installed in the information processing apparatus (col.8, lines 11-43).

Sasaki does teach each device is identified by a device ID. Sasaki, however, does not explicitly teach a device ID which is defined as one of different IDs provided for each device model.

Lipe teaches a device ID which is defined as one of different IDs provided for each device model (63, fig.5A).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Lipe and Sasaki because Lipe's teaching would have provided the capability for identifying peripheral devices connecting to the computer system.

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13. As to claim 31, Sasaki teaches an activating unit, adapted to activate the device driver to be used (*col.8, lines 11-23*), when the discriminating unit discriminates that the device driver corresponding to the obtained device ID is not installed (*col.8, lines 24-61*).

14. As to claim 32, Sasaki teaches the device is a printer (*col. 5, line 15 and fig. 3*).

15. As to claim 33, Sasaki teaches a determination unit adapted to determine whether or not device drivers, which are activated in the information processing apparatus at present, are able to support a device driver corresponding to the device on the basis of determining result of the obtained device ID (*col.8, lines 9-43*).

16. As to claim 34, Sasaki teaches the determination unit determines that the device driver corresponding to the obtained device ID is not supported by the activated device drivers, the discriminating unit performs the discriminating (*col.7, lines 9-55 and col.8, lines 11-43*).

17. As to claims 35-39, note the rejection of claims 30-34 above. Claims 35-39 are the same as claims 30-34, except claims 35-39 are method claims and claims 30-34 are apparatus claims.

18. As to claims 40-44, note the rejection of claims 30-34 above. Claims 40-44 are the same as claims 30-34, except claims 40-44 are computer-readable storage medium claims and claims 30-34 are apparatus claims.

19. As to claims 45-49, note the rejection of claims 30-34 above. Claims 45-49 are the same as claims 30-34, except claims 45-49 are computer program product claims and claims 30-34 are apparatus claims.

20. As to claim 50, the rejection of claim 65 above is incorporated herein in full.

Additionally, Sasaki further teaches installing a device driver corresponding to the device ID

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obtained by the obtaining means, when it is determined by the first determination means that the connected device can not be supported (col.10, lines 47-59).

21. As to claim 51, Sasaki teaches second determination means for determining whether or not there exists data to be printed in the information processing apparatus, when it is determined by the first determination means that the connected device can be supported (*col.7, line 65-col.8, line 10*) and performing means for performing a printing operation on the data when it is determined by the second determination means that there exists data to be printed in the apparatus (*col.8, lines 11-23*).

22. As to claim 52, Sasaki teaches third determination means for determining; whether or not a device driver corresponding to the obtained device ID is installed (*col. 7, lines 9-43*), when it is determined by the first determination means that the connected device can not be supported (*col. 8, lines 24-43*), wherein the installing means installs the device driver corresponding to the obtained device ID when it is determined by the third determination means that the device driver corresponding to the obtained device ID is installed (*col.7, lines 9-43*).

23. As to claim 53, Sasaki teaches warning means for warning, when it is determined by the third determination means that the driver corresponding to the obtained device ID is not installed (*col.8, lines 11-43*).

24. As to claim 54, Sasaki teaches the device comprises a printer (*the laser printer LP; col. 5, line 15 and fig. 3*).

25. As to claims 55-59, note the rejection of claims 50-54 above. Claims 55-59 are the same as claims 50-54, except claims 55-59 are method claims and claims 50-54 are apparatus claims.



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26. As to claims 60-64, note the rejection of claims 50-54 above. Claims 60-64 are the same as claims 50-54, except claims 60-64 are processing program claims and claims 50-54 are apparatus claims.

### ***Response to Arguments***

25. Applicant's arguments with respect to claims 30-69 have been fully considered, but are deemed to be moot in view of the new grounds of rejection.

### ***Conclusion***

26. Any inquiry or a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765.

The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday.

28. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756.

29. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

30. Information regarding the status of an application may be obtained from the Patent

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Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any response to this action should be mailed to:**

Commissioner for patents

P O Box 1450

Alexandria, VA 22313-1450

A handwritten signature in black ink, appearing to read "Van H. Nguyen". The signature is written in a cursive, flowing style.

Van H. Nguyen